

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MICHAEL W. WELCH,

Case No. 2:15-cv-00940-LDG-PAL

Plaintiff,

ORDER

v.

(IFP App. – Dkt. #3)

THOMAS WHITE, et al.,

Defendants.

This matter is before the Court on Plaintiff Michael W. Welch's Application to Proceed *In Forma Pauperis* (Dkt. #3). This proceeding was referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 and 1-9.

Plaintiff is proceeding in this action *pro se*, which means that he is not represented by an attorney. See LSR 2-1. He first requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis* ("IFP") on May 19, 2015. See IFP Application (Dkt. #1). However, Plaintiff submitted the application designated for incarcerated litigants and, as a result, the Court was unable to determine whether Plaintiff was eligible for IFP status. See Order (Dkt. #2). The Court instructed Plaintiff to resubmit his application on the correct form. *Id.* Plaintiff renewed his IFP Application (Dkt. #3), but subsequently paid the full filing fee of \$400 and filed an amended complaint. See Receipt of Payment (Dkt. #4); Am. Compl. (Dkt. #5). Thus, Plaintiff's IFP Application is now moot.

Accordingly,

1. Plaintiff's Application to Proceed *In Forma Pauperis* (Dkt. #3) is DENIED as moot.
2. The Clerk of the Court shall file the original Complaint (Dkt. #1-2) and issue summons for Defendants Thomas White and Laborers Union Local 872.

- 1 3. Plaintiff is advised to carefully review Rule 4 of the Federal Rules of Civil Procedure
2 in order to properly serve Defendants. Pursuant to Rule 4(m) of the Federal Rules of
3 Civil Procedure, Plaintiff must complete service within 120 days from the date this
4 order, or by **February 5, 2016**.
- 5 4. From this point forward, Plaintiff shall serve upon Defendants, or, if appearance has
6 been entered by counsel, upon the attorney(s), a copy of every pleading motion or
7 other document submitted for consideration by the court. Plaintiff shall include with
8 the original papers submitted for filing a certificate stating the date that a true and
9 correct copy of the document was mailed to the Defendants or counsel for the
10 Defendants. The court may disregard any paper received by a district judge or
11 magistrate judge that has not been filed with the Clerk of the Court, and any paper
12 received by a district judge, magistrate judge, or the Clerk that fails to include a
13 certificate of service.

14 Dated this 8th day of October, 2015.

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16 PEGGY A. LEEN
17 UNITED STATES MAGISTRATE JUDGE
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